



MEETING MINUTES

BOARD OF SUPERVISORS, COUNTY OF MONO

STATE OF CALIFORNIA

Regular Meetings: The First, Second,
and Third Tuesday of each month

REGULAR MEETING

County Courthouse
Bridgeport, California 93517

October 16, 2007

9:00 a.m. Meeting Called to Order by Chairman Hazard

Pledge of Allegiance led by Brian Muir, Finance Director

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

BOARD MEMBER REPORTS

Supervisor Reid reported on the following issues and activities:

1. Attended the Mono Basin RPAC on the 10th. The RPAC is working on an update of the general plan; they discussed the sale of the Cunningham property to Mammoth Mountain; they need an update about the Lee Vining streetscape and community center landscaping.
2. Visited the Lundy Lake road project; it looks like shoulder work and pothole repair has been done. Evan Nikirk said paving will begin in the spring. Also, the access road in Mono City has been completed.
3. Attended the Antelope Valley Fall Festival on Saturday. Talked with Deiter Hoffman and Dave Murray about an agreement 10-15 years ago with the VFW to allow them to erect a small meeting hall adjacent to the tennis courts. The VFW can't use this land so they want it to revert back to the County. Evan Nikirk will research this issue.

Supervisor Hunt reported on the following issues and activities:

1. On Saturday, the Rotary Club auction raised money for projects in Mammoth.
2. Attended the Mammoth Lakes Housing meeting. Discussed the following: (a) Issues concerning affordable housing, and starting a new program of appreciation sharing with those who purchase the units. (b) Housing mitigation tools. (c) Mammoth Lakes Housing and Mono County relationship (MLH wants to discuss certain aspects of the agreement recently approved). (d) MLH supports strategic planning process, and will share the cost of hiring a consultant. (e) Composition of the board and the need to include a broader spectrum of the community. (f) Big projects in Mammoth, including Eagle Lodge and Mammoth Lakes Housing; Snowcreek VIII will be a big development project.

Supervisor Bauer reported on the following issues and activities:

1. Attended the June Lake Economic Development meeting; they are investigating a business improvement district for the area.
2. Met with principals from the Sierra Club on Wednesday; discussed land use issues and receiving help with interpretation of trails in June Lake.
3. Attended a Child Care meeting on Wednesday afternoon. Looked at various programs; there is a good response from the kids. The group is trying to see how they can keep adolescents busy by using the new library facility.
4. Attended high school football in Barstow on Friday; the team won and may have a good chance to go to CIF.
5. Drove to Mariposa for a YARTS meeting yesterday; the meeting was productive. YARTS has received grant money so now they can concentrate on providing service. Mono County is a small part of the system, but there is potential for the east side to fill more spaces. Bauer is reviewing the structure of the system.
6. Catherine Handsburg is working on a June Lake economic study.
7. May ask someone from tourism to be the liaison to Mammoth Mountain to better accommodate the situation.
8. Working with ESTA to gather data; planning to take a bus ride to Devil's Postpile in order to better understand the issues.
9. The Sierra Regional Partners meeting is next Friday.

Supervisor Farnetti reported on the following issues and activities:

1. Attended the management meeting last Wednesday. The Sheriff is working to improve communications throughout the County; Chairman Hazard talked about a \$40 million grant for internet services; Lynda Salcido reported that flu clinics are open; Rita Sherman reported on leadership training sessions for new supervisors; Clay Neely talked about training for the new agenda software.
2. Attended the Solid Waste Task Force meeting on Wednesday afternoon. Evan Nikirk gave a presentation about economic development. DNS is moving forward with the acquisition of 34 acres. The monthly inspection of Benton Crossing was positive. The Town is still negotiating a new franchise agreement; the current franchise has been extended three months. The Town wants to purchase Mammoth Disposal's transfer site, and expand and improve services; they may look for support and assistance from the County. Lisa Isaacs of Mammoth Mountain reported on a composting system used at Keystone resort. She would like to try this at June Mountain; the cost for two vessels is \$20,000 each, excluding the slab and electricity. She hopes to partner with Mono County (she will obtain more information).
3. Attended the LTC yesterday. Discussed the following: (a) Report on the Mountain Express alternative for a mid-day route, which would save \$6,600; ESTA will review this before a final decision is made. (b) Update on YARTS. (c) Caltrans reported on Gasex and the Coleville post office. They are hoping to complete Gasex by Thanksgiving; the post office project is still moving forward. (d) Approved a resolution to increase funding for Lundy Lake Road. (e) The Inyo-Mono letter to SANBAG had a positive effect regarding the realignment/right-of-way issue. (f) The next meeting will be December 10th.

Chairman Hazard reported on the following issues and activities:

1. Attended the management meeting last Wednesday.
2. Due to illness, missed a variety of meetings and office hours.
3. This Thursday will be traveling to Sacramento to meet with the Director of Fish and Game in order to discuss fishing issues.

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report regarding Board Assignments (**David Wilbrecht**)
RECOMMENDED ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

David Wilbrecht, CAO, reported on the following issues and activities:

1. The new site coordinator for the Walker Senior Center starts tomorrow. The situation seems to be turning around. There is space for rent next to the flower shop where the ESTA buses could park. Also, the fire department may consider selling its property, including the old fire station.
2. Initiated an RFP for the facilities study.
3. Working with Rob Clark to finalize the numbers for the AOC agreement.
4. Met with Scott Burns to discuss his office reorganization.
5. Mono County hosted the MAG meeting; Brian Muir gave a presentation about County finances.
6. Met with Supervisors Reid and Bauer about the projects list and outstanding items; Kelly Garcia is planning to attend training on how to manage resources.
7. Met with George Milovich and Brian Muir last Wednesday. Milovich's facilities are very poor; most of his staff works out of utility trailers. There may be money available to improve the facilities; Inyo County will allocate 2.5 acres. The facilities can be consolidated for less than \$250,000.
8. Training is scheduled for the new agenda software. Should see a positive change when everyone uses this tool.
9. Attended the management meeting; important subjects are being addressed.

2) **APPROVAL OF MINUTES**

Regular meeting of October 2, 2007, as amended.

M07-242

(Hunt/Bauer, 5-0)

Correction: Board Member Reports, Page 3, Chairman Hazard's report Item #4 (last sentence, replace "postponed"): "...so the project will be **phased in last**."

Correction: Board Member Reports, Page 2, Supervisor Bauer's report Item #2: Bob **Haueter**; and Item #6: **SBC** conference.

BOARD OF SUPERVISORS

- 3) Verbal Update and Status Report by the Assessor on his Office and Activities
(**James Lovett**)

ACTION: (1) Receive a verbal report from the Assessor regarding the status of his office and activities. (2) Provide any desired direction to staff.

Mr. Lovett was not present due to his attendance at a state-required conference. Bob Musil, Assistant Assessor, provided the update. Musil followed-up on the status of three items:

- Mammoth Mountain Ski Area. Still in discussions with their attorney regarding collection of data. All correspondence has been forwarded to the Assessor's attorney; he will have a

demand letter prepared this week.

- Backlog. Mr. Lovett last reported 521 outstanding appraisals; as of October 9th, the backlog is 434 appraisals.
- Regarding a letter from Mr. Wagoner requesting a reappraisal (a copy of which was on the Board's October 2nd agenda), the Assessor's Office received the letter on September 17th. An appraiser initiated contact via email on September 18th to ascertain the condition of the property, and also conducted a physical inspection. On September 19th, the Assessor's Office lowered the assessed value based on new circumstances.

Board Questions:

Supervisor Farnetti asked for a report each month about the number of reappraisal requests received by the Assessor's Office.

Chairman Hazard asked about the lag time when making adjustments to assessments. Musil said changes are processed once or twice a month; it may take up to 60 days before values are released to the Department of Finance.

Supervisor Reid asked about reduced assessed value. Musil said the Assessor's Office will make a temporary reduction for one year; this amount is reviewed annually in order to account for changes in the real estate market.

Supervisor Hunt asked about the acceptable number of backlog appraisals. Musil said their ultimate goal is to be as current as possible. Most of the current backlog is due to commercial property; as of October 9th, 310 of the 434 outstanding appraisals are commercial. Supervisor Hunt referred to Mammoth Mountain and said this is a big issue; he asked the Assessor's Office to stay current with it. Musil said the Assessor's attorney is very competent and they expect results shortly.

Supervisor Reid passed on a compliment he received from a member of the public about a staff member in the Assessor's Office. Supervisor Bauer thanked Mr. Musil for his leadership in the office. The Board acknowledged Mr. Musil's professionalism in presenting the information to the Board.

CLOSED SESSION

Closed Session from 9:17 a.m. through 10:13 a.m. Break from 10:13 a.m. through 10:17 a.m.; reconvened at 10:17 a.m. Reconvened closed session from 11:13 a.m. through 12:00 p.m.

- 4) CONFERENCE WITH LEGAL COUNSEL. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Threat of litigation against County made on behalf of Jeffrey P. Hansen.
- 5) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: 107655 Highway 395, Walker, CA. Agency negotiators: Ann Gimpel, Dave Wilbrecht, Brian Muir, and Marshall Rudolph. Negotiating parties: Mono County and Mr. Chichester. Under negotiation: price.

- 6) PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Counsel.
- 7) PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrator.
- 8) CONFERENCE WITH LABOR NEGOTIATORS. Government Code section 54957.6. Agency designated representative: to be announced. Unrepresented employees: county counsel and county administrator.
- 9) CONFERENCE WITH LEGAL COUNSEL. Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9. Number of potential cases: one.
- 10) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: that certain parcel in the Town of Mammoth Lakes, bounded by Highway 203, Sierra Park Road, and Mammoth Hospital. Agency negotiators: Dave Wilbrecht, Marshall Rudolph, Evan Nikirk, Brian Muir, and Mark Magit. Negotiating parties: Mono County, the Town of Mammoth Lakes, and the Judicial Council/Administrative Office of the Courts. Under negotiation: price and terms of payment.

The Board had nothing to report from closed session.

DEPARTMENT REPORTS/EMERGING ISSUES

Mary Booher reported on the following:

1. Update from CHEAC regarding health-care reform. Not much has changed other than costs are increasing. The Governor vetoed AB 8 because it didn't cover enough people. A policy measure from the Legislature and a ballot measure about funding are still being considered.

Ed Zylman reported on the following:

1. Met with Deputy Director Mary Hall (State Department of Social Services) six months ago to discuss problems concerning recruiting and training social workers. In a subsequent meeting, discussed the need for employees with bachelor's and master's degrees in social work. Hope to work with the UC system to educate the local workforce.

Mark Magit reported on the following:

1. Supervisor Reid had previously asked for information about whether or not a shooting range would be allowed on Conway Ranch, which was purchased by the County using grants. The MOU specifies various uses. After reviewing the MOU, it appears that a gun club or shooting range is not permitted; Scott Burns and Dan Lyster concur. Declarations in the grant document also specify use—a gun club or shooting range is not permitted. Lastly, the specific plan and EIR allow many uses but none include a gun club or shooting range. In order to allow these uses, the documents would need to be amended.

Lynda Roberts reported on the following:

1. The elections office is having difficulty recruiting poll workers for the November election. Asked for the Board's assistance, either in providing names or referring people to the elections office.

Kelly Garcia reported on the following:

1. Pointed out the sample chair and bench being considered for the Board chambers. The color is medium oak, but can be changed if the Board so desires.

Tom Wallace reported on the following:

1. Provided an update about the environment health program. Developing a County program seems to be the right direction. The Human Resources Department has finished the salary survey; this information will be available next month.

Stacey Simon reported on the following:

1. A month ago she talked about various use designations on federal lands and a proposed designation for recreation; the Board expressed interest in the existing national recreation area. At a recent RCRC meeting, Supervisor Hunt heard criticism from two counties (Del Norte and San Luis Obispo) about the national recreation area designation. Simon checked into the national recreation areas in these two counties. In Del Norte County, the recreation area seems to be a positive designation; she could only find a state recreation area in San Luis Obispo. She will follow-up with the two counties.

CONSENT AGENDA

PUBLIC HEALTH

- 11a)** Approval of Contract #07-65065 for HIV Prevention Programs
M07-243 **ACTION:** (1) Approve Contract #07-65065 with the California Department of Health Services for July 1, 2007, through June 30, 2010, for the HIV Prevention Program, HIV Counseling and Testing Program, and the HIV/AIDS Surveillance Program. (2) Authorize the Mono County Public Health Director to sign contract and future contract amendments.
(Reid/ Hunt, 5-0)
- 11b)** Approval of Contract #06-55760, April 1, 2007, through March 31, 2010, for the Ryan White Program
M07-244 **ACTION:** (1) Approve Contract #06-55760 with the State of California Department of Public Health, April 1, 2007, through March 31, 2010, for the Ryan White Program. (2) Authorize the Mono County Public Health Director to sign contract and future contract amendments.
(Reid/ Hunt, 5-0)

BOARD OF SUPERVISORS

- 12)** Expenditures Pertaining to Poll Workers
R07-72 **ACTION:** Adopt **Resolution R07-72**, "A Resolution of the Mono County Board of Supervisors Authorizing Certain Expenditures Pertaining to Pollworkers."
(Reid/ Hunt, 5-0)

COUNTY ADMINISTRATIVE OFFICE

- 13)** A Resolution Approving an Agreement with CalPERS for a Pre-Tax Payroll Deduction Plan
R07-73 **ACTION:** Adopt **Resolution R07-73** approving an agreement with the California Public Employees Retirement System (CalPERS) for a Pre-Tax Payroll Deduction Plan for Service Credit Purchases (Contribution Code 14).
(Reid/ Hunt, 5-0)

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

#	Received	Dated	From	Subject
14a)	10-09-07	09-30-07	Gary Olson, Chairman Inyo-Mono Fish & Game Advisory Commission	Requesting the release of \$1,000 from the Mono County Fish & Game Fine Fund Account to CalTIP to support its new Canine Program to help stop poaching and polluting..
14b)	10-09-07	09-30-07	Gary Olson, Chairman Inyo-Mono Fish & Game Advisory Commission	Requesting the release of \$250 from the Mono County Fish & Game Fine Fund Account to Snow Goose Productions for the production of a documentary entitled, "Endangered Species: The Fish and Game Warden."

Chairman Hazard said these two items will be moved to a future agenda for action. Supervisor Farnetti said these requests need to be reviewed by the Fisheries Commission before they come to the Board. He asked a staff member to contact Gary Olson and notify him about the proper procedure.

Chairman Hazard acknowledged receipt of the correspondence.

ECONOMIC DEVELOPMENT

- 15) Request for Funds from the Mono County Fish & Game Fine Fund Account (**Dan Lyster**)

ACTION: Appropriate \$2,750 from the Mono County Fish & Game Fine Fund Account to the Hot Creek Hatchery Foundation, to be used specifically for the purpose of replacing the aeration system at Junction Reservoir.

This item was pulled pending review by the Fisheries Commission; it will be agendaized for a November meeting. David Wilbrecht, CAO, said this issue is not urgent because the work has been completed; the request is for a reimbursement.

COMMUNITY DEVELOPMENT, COUNTY COUNSEL

- 16) Amendment to Housing Mitigation Ordinance (**Larry Johnston, Mark Magit, Scott Burns**)

M07-245 ACTION: (1) Introduce, read title, and waive further reading of a proposed ordinance amending Chapter 15.40 of the Mono County Code that provides for Housing Mitigation Requirements, by specifically amending Chapter 15.40.040 pertaining to Requirements For Non-Residential Projects. (2) Direct Clerk to schedule ordinance for adoption at the Board's next regular meeting. (*Farnetti/Hunt, 5-0*)

Larry Johnston gave a PowerPoint presentation.

- The proposed change concerns non-residential projects. Mitigation is based upon full time equivalent employees (FTE), and the number of units depends on the type of development. The ordinance allows for alternative housing plans.
- Calculated the approximate amount of square footage of various uses and the number of employees per lot based on assumptions about Sierra Business Park. This development would require 36 units, or about 1 unit per lot.
- Options: no mitigation requirement; change the employee generation rate, the mitigation rate or both; change the threshold. A subcommittee recommended creating a new category for storage and keeping the other mitigation factors the same.
- The subcommittee reviewed several scenarios that considered different size projects; they suggested Option D (.1 employees per 1,000 square feet). This option was generally accepted by the Housing Authority, which would decrease the requirements for service/commercial and storage projects.

Mark Magit pointed out that the proposed change was mainly due to one project (Sierra Business Park), but the ordinance would apply county-wide to all projects that are non-residential development. There are no changes currently to the other components (i.e. visitor accommodations and commercial projects). Johnston said Sierra Business Park developers support the change.

Supervisor Hunt said they won't know if this is the right level until the change is implemented; this will need to be reconsidered when the market changes. Supervisor Farnetti said the Housing Authority concluded this was a working document that would require periodic adjustments. Supervisor Bauer thanked staff for their hard work. Chairman Hazard said this is a work in progress; they are trying to find the best balance.

11:00 a.m. PUBLIC HEARING—COMMUNITY DEVELOPMENT

NOTE: This public hearing will be re-advertised for another day; no action will be taken today.

- 17) Amendment #1 to Sierra Business Park Specific Plan (**Larry Johnston**)
ACTION: Adopt **Resolution R07-___** amending the Sierra Business Park Specific Plan to: 1) allow up to, but no more than, six total caretaker units on the property; 2) modify parking standards to be in accordance with the Mono County Land Use Element, Chapter 06: Development Standards—Off-Street Parking; and 3) clarify snow storage to be in accordance with Mono County Land Use Element Chapter 04 Section 4.30, Snow Storage Requirements at a 25% ratio.

Chairman Hazard said the hearing will be scheduled for another date and re-advertised, but the Board will take comments since the hearing was advertised for this date. There were no public comments.

PUBLIC WORKS

- 18) Approval of Official Map No. 07-01 (**Evan Nikirk and Stacey Simon**)
ACTION: Adopt and authorize the Chair's signature on **Resolution R07-74**, "A Resolution of the Mono County Board of Supervisors Adopting Official Map No. 07-01", certifying and adopting said Official Map.
(Reid/Bauer, 5-0)

- M07-246** **ACTION:** Direct and authorize the Public Works Director to file Official Map No. 07-01 and Resolution R07-74 for recordation in the Office of the County Recorder; direct and authorize the County Recorder to accept said documents for recordation.
Reid/Hunt, 5-0)

Evan Nikirk said this map defines existing lots on the north shore of Mono Lake on Cemetery Road; the lots are largely undeveloped. The official map is a procedure defined in the map act. The staff report includes the official map as Exhibit 1; Exhibit 2 is the CEQA analysis—the project is exempt from CEQA. The conditions of map approval are attached to the resolution; these are development standards that will apply to all parcels. Nikirk recommended approval of the map and adoption of the resolution, with direction to record the documents.

Stacey Simon clarified the conditions of approval. The conditions already exist elsewhere in County ordinances and development-applicable documents. This action consolidates the information and brings it to developers' attention.

Tony Dublino, The Sheet, asked about the zoning and asked why language was added about the clouded title. Nikirk said the County is not taking a position regarding the title, they are just noting on the map that a portion of the land is in dispute with the state. Zoning is rural residential and service commercial.

Nikirk said the resolution adopts this procedure (official map) pursuant to the subdivision map act. The County is able to proceed with an official map, which this resolution does.

COUNTY ADMINISTRATIVE OFFICE—HUMAN RESOURCES

- 19) Resolution Approving Employment Contract with Deborah Brooks (Robert Garret)
R07-75 ACTION: Adopt **Resolution R07-75** approving an employment agreement with Deborah Brooks and prescribing the compensation, appointment, and conditions of said employment.
(Hunt/Farnetti, 5-0)

David Wilbrecht said this is a standard contract and was presented in closed session last week. Board approval is now requested.

~ LUNCH RECESS ~

Break from 12:00 p.m. through 1:02 p.m.; reconvened at 1:02 p.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

COUNTY ADMINISTRATIVE OFFICE

- 20) Award Clocks for Employee Service (**Rita Sherman**)
ACTION: Award 20-year service clocks to five Mono County employees: Harry Bryan (Public Works, Maintenance Supervisor), Sharon Carkeet (Community Development, Permit Technician), Gil Graham (Social Services, Program Assistant), Becky Landaker (Public Health, Community Health Outreach Specialist), and Rick Terrell (Paramedic Crew Chief).

Each Board Member presented information about those receiving awards: Harry Bryan, Sharon Carkeet, Gil Graham, Becky Landaker, and Rick Terrell. The Board acknowledged these employees for their years of service. Harry Bryan and Rick Terrell were present to accept their awards.

BOARD OF SUPERVISORS

21a) Claim for Refund of Property Taxes (**Stacey Simon**)

M07-247

ACTION: Deny Claim for Refund of Property Taxes filed by Jamie Alichwer on September 19, 2007, on behalf of June Lake Villager Motel. Direct staff to draft a letter for Chair's signature notifying Ms. Alichwer of the denial and that she may challenge the order and decision of the Assessment Appeals Board in Superior Court.

(Hunt/Bauer, 5-0)

Stacey Simon presented information: Normally an individual will include a claim for refund when they file their appeal application. The claim for refund is required before the Superior Court will hear a case; however, Alichwer did not check the box requesting the claim for refund. The Assessment Appeals Board heard Alichwer's case and denied it. Recently she came before the Board of Supervisors asking for a review of her case, which is not within the Board's jurisdiction. She has now filed this claim for refund. In light of the Assessment Appeals Board's denial, the Board of Supervisors does not have discretion to grant her request for a refund. But in order to challenge the Assessment Appeals Board's decision, she must file this claim. The Board's action today would be to deny or reject the claim, which is within the Board's jurisdiction; the Board must take this action so the applicant can proceed to Superior Court.

21b) Approval of a Purchase and Sale Agreement for the Sale of a Portion of the Real Property known as the "Church Parcel" to the California Judicial Council Administrative Office of the Courts (**Dave Wilbrecht and Mark Magit**)

R07-76

ACTION: Approve **Resolution R07-76** authorizing approval of a Purchase and Sale Agreement between the Town of Mammoth Lakes (Town), the County of Mono (County), and the Judicial Council of California Administrative Office of the Courts, (AOC), for the sale of approximately 60,000 square feet of land from the Church parcel to the AOC.

(Farnetti/Hunt, 5-0)

David Wilbrecht provided a brief history: The property is a portion of the 10+ acres known as the "Church Parcel", which is north of the hospital and includes all of Sierra Park Road. Partners in the exchange are the hospital (the lead partner), the Town and the County. Phase One is the exchange of the parcel to the Town and County (2/3 to the Town, 1/3 to the County). The Administrative Office of the Courts has discussed buying a portion of the parcel; they will pay a flat amount plus impact fees. Before the Board today is a request to approve the resolution allowing the County and Town to move forward with the sale to the AOC, which will have a lot of work to do prior to development. The Board has reviewed the contract and discussed this issue in closed session. Review of financial information:

- Land Acquisition: \$5,700,000
- Soft Costs (work done by the hospital and consultant): \$186,416.05
- Escrow Closing Costs: \$135,000
- MOU Regarding Future Use of Church: \$213.50
- Relocate Utilities: \$96,000
- Master Planning (preliminary): \$62,200.30
- Total purchase price of the site (entire parcel): \$6,200,966.35

- The AOC will purchase 52,410 square feet of useable space at \$19.18 per square foot, which equals \$1,005,033.46

The land exchange is nearing completion and then the AOC purchase can move forward. The County will work with the Town on the final calculations and bring a full report back to the Board. Regarding public process, this matter went through the CEQA process, and the AOC will also be required to go through CEQA.

Supervisor Hunt said if the AOC does not build their proposed building within 10 years, the property will revert back to the Town and County.

21c) Addendum—Agreement with Secretary of State to Provide Mono County with HAVA Section 261 Funding (**Lynda Roberts**)

M07-248 ACTION: (1) Authorize Mono County to enter into an agreement with the Secretary of State, the purpose of which is to provide the County of Mono with federal reimbursement funds (HAVA funds) to assist in implementing HAVA Section 261—Elections Assistance for Individuals with Disabilities. (2) Authorize the Clerk-Recorder-Registrar to execute said agreement on behalf of Mono County.
(Bauer/Reid, 5-0)

Lynda Roberts explained that HAVA 261 funding will assist the Elections Office in implementing requirements concerning accessible polling places. The amount available to the County is \$1,528. These are federal funds that will be reimbursed to the County through the Secretary of State's Office. HAVA means "Help America Vote Act".

21d) Addendum—Agreement with Secretary of State to Provide Mono County with HAVA Section 301 Funding (**Lynda Roberts**)

M07-249 ACTION: (1) Authorize Mono County to enter into an agreement with the Secretary of State, the purpose of which is to provide the County of Mono with federal funds (HAVA funds) to assist the County in, or reimburse the County for, complying with the requirements of Section 301 of the Help America Vote Act of 2002 (HAVA Section 301 Voting Systems Program). (2) Authorize the Clerk-Recorder-Registrar to execute said agreement on behalf of Mono County.
(Hunt/Farnetti, 5-0)

Lynda Roberts explained that HAVA 301 funding can be used to purchase voting equipment systems. The Elections Office will either use the funds to offset the purchase of new equipment (recently approved by the Board), or will use the funds to upgrade computer tally equipment. The amount available to the County is \$6,861. These are federal funds that will be reimbursed to the County through the Secretary of State's Office.

Break from 1:47 p.m. through 2:00 p.m.; reconvened at 2:00 p.m.

ADJOURNED: 2:37 p.m.

**Mono County Economic Development Corporation
Annual Meeting, 1:30 p.m.**

NOTE: The Mono County Economic Development Corporation is a nonprofit public benefit corporation which was formed solely for purposes of facilitating the County's financing of certain solid waste improvements. Its meeting today relates to housekeeping issues, such as appointment of corporate officers, and issues related to the solid-waste financing.

***Reconvene Evening Meeting at the
Crowley Lake Community Center***

6:00 p.m. Meeting Called to Order by Chairman Hazard

Pledge of Allegiance led by Supervisor Farnetti

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Fred Stump, Chief of Long Valley Fire Protection District, asked the Board if they would adopt a resolution of appreciation for the San Bernardino Fire Department, acknowledging their assistance with providing fire apparatus. The County was not charged for the equipment, and it benefits the public safety infrastructure. Chairman Hazard said the Board will entertain this request and asked Stump to provide the pertinent information.

BOARD OF SUPERVISORS

- 22) Crowley Lake Community Center Landscaping Project (Marianne O'Connor)**
ACTION: (1) Receive a report from Marianne O'Connor concerning landscaping at the Crowley Lake Community Center. (2) Provide any desired direction to staff.

Debbie Preschutti and Ted Cortopassi, CSA 1 board members, addressed this issue:

- The landscaping process has been going on for four years. The project was put out for bid twice, but the bids came in too high.
- The decision was made to utilize County staff to complete the project.
- Met with Kelly Garcia last June and approved a plan.
- Work was supposed to start two months ago; no work has been done to date.
- Have asked for a work schedule and would like to be kept informed.
- Would like the project to be finished by early summer of next year.

Kelly Garcia responded:

- A crew was supposed to flag the area today.
- The final design is nearly finished.
- Most of the earthwork will be done this fall.
- The County will grade, pour concrete, lay flagstone, install conduits under the concrete, and provide additional handicap access.
- Have been unable to provide a schedule because it has been difficult to find out when certain work will be done, but still working on it.

Supervisor Farnetti asked if completing the work by early next summer is feasible. Garcia said that timing is feasible if the grading is done this fall.

Marianne O'Connor said the community wants to be involved in the project and asked about using volunteer help with planting. She also asked about dividing up the projects so they don't have to go out for bid. She mentioned that the CSA has approved \$5,000 for the project. Marshall Rudolph, County Counsel, said there are no legal issues concerning volunteer labor. Garcia said her concern with using completely volunteer labor has to do with managing the project. Regarding the bid process, Rudolph said the County has adopted the highest bidding thresholds permitted by law but can't avoid them by splitting up a project. Rudolph also said that the legal triggers for going out to bid are different than the triggers for requiring a contractor to pay prevailing wages, and the County can't avoid prevailing wage requirements for the work unless the project is done in-house. In reference to the \$5,000 the CSA#1 Board has approved, this is County money and the CAO can approve small-scale purchases of goods; pursuant to the resolution of the Board of Supervisors delegating certain powers to CSA Boards, the CSA Board itself may be also able to approve such expenditures as long as they are under the \$5,000 cap specified by the resolution.

Comments from the audience:

- When the community gets involved, there is more buy-in and respect for the project.
- CalFire has done many projects in the County without cost, and they could do this work.
- The post office project in Mammoth was a volunteer effort, including on-going maintenance.
- The County needs to have xeriscaping or low-water landscaping; a well-done project would be low maintenance. This could be educational for the entire County.
- Need to have the County oversee the infrastructure, and then the community volunteers can do the planting.

Preschutti said the groundwork is stalling the project; Garcia said it takes a lot of organization and supervision to accomplish this type of project. O'Connor said two members of the CSA board would like to be on an oversight committee to help Garcia with coordinating volunteers. Preschutti said they would like to work closely with Kelly so when the County starts work, it goes according to the community vision.

Chairman Hazard reiterated the following:

- There was a problem getting a good design in place.
- Contractors want to do the entire project and not wait for volunteers.
- Because the bidding process was unsuccessful, the Board decided to complete the project in-house. Using County staff will allow for better scheduling.
- The County has allocated funding for the community center, and has made a commitment to complete this project.
- The project is proceeding according to the schedule discussed in June. As it progresses, Garcia will be able to work with the community to organize the purchase of plants.

Garcia reiterated the following:

- She is working with the CSA to finalize and simplify the plan.
- She hopes to start the grading work next week; a drainage channel and berm are also required.
- The new engineer and engineering tech will work on the project.
- The next phase will be the irrigation system and then planting. Landscapers are not interested in doing County work, so it has been difficult to get bids. She hopes to simplify the project so they can just do a contract. Phasing the project is practical, and has been done to some degree.
- Infrastructure and plants will depend on funding; her department will need help at the community level. Once the irrigation system is installed and the plants located on site, volunteers can then do the planting.
- Will work with landscape contractors over the winter regarding irrigation proposals.

Dave Wilbrecht, CAO, offered the following information:

- This is the first year the County has had money available for projects such as this.
- Projects were deferred and now with funding available, there are many projects that need to be prioritized. The County can't do the work all at once.
- This project needs to be prioritized within the scope of other projects. The County needs a plan relative to all the other projects so it will be successful.

Board Member comments:

- Supervisor Bauer said Garcia has a lot of work to do around the County. Bauer encouraged the use of volunteers, and said there needs to be a balance between what Garcia can do and what the volunteers can do.
- Chairman Hazard concurred and said Garcia's time needs to be flexible; she can't only focus on this one project. This project will need to be prioritized along with all the other projects she is working on.
- Supervisor Reid reiterated that Kelly has been short-staffed and has been trying to accomplish a lot of work all over the County. The Board recently supported new positions in Public Works to facilitate completing outstanding projects. Part of the issue is keeping people informed about the status of projects.
- Supervisor Bauer suggested putting the status of projects on the internet.
- Supervisor Hunt said this project will be completed; the community needs to be patient. He also said a lot can be done by using volunteers.
- Supervisor Farnetti concurred with the need for better communication. Part of the problem has been due to funding and staffing, not a lack of interest. Many of the County facilities are in bad shape, and a lot of projects have now been budgeted. Now that staffing is in place, it seems realistic to complete this project by next summer.

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High-Speed Internet Services (**Chairman Hazard**)

ACTION: (1) Review the options concerning high-speed internet service in Mono County, and potentially create a working group to oversee planning. (2) Provide any desired direction to staff.

Chairman Hazard presented the following information:

- The topic of high-speed internet services in rural counties was addressed at the recent RCRC conference (Regional Council of Rural Counties).
- A presenter from the Governor's office said \$40 million is available to help establish high-speed in rural counties. The grant evaluators will look for public-private partnerships and the most efficient way of delivering the service.
- There are six different types of service options available; need a fiber optic system to get broadband, but it is limited. Verizon is laying fiber optic from Bishop to Mammoth.
- Funding is available to install systems in locations such as schools; relay systems can then be developed.
- The County has a lot of infrastructure, but has not coordinated the systems to fully utilize their capabilities. Government can obtain sites, towers and power; private is better at providing equipment, service, and maintenance.
- The County does not yet have a coherent plan for the future; need to do a master overlay. There are many agencies that can be involved.
- Asking the Board to authorize forming a task force (including public agencies and private business) to determine what can be done to bring high-speed service to Mono County.
- From a planning standpoint, future development plans should include internet service the same as other utilities are required.

Public Comments:

- Greg Newbry—practically every resort throughout the world has high-speed wireless communications; it attracts tourists. We live in a technological world with people working at home, and we need to move in this direction. The Planning Department is working on a grant to review options and constraints, and what is required to upgrade communications in the County.
- Mammoth Mountain would be a possible partner.
- It is feasible to bring people into the community who can work from home, but they need the technology.
- Aaron with Schat.net—working hard to link technology from Reno to Las Vegas. Schools and libraries have the capacity to link users together, but he needs help with acquiring sites. Supervisor Bauer said this type of situation would be a good public-private partnership.
- Ted Cortopassi said CSA 1 supports the concept and would like to include cell service in the dialogue; CSA 1 would also like to be involved in the process.
- Fred Stump—does this concept [of doing a study] put the discussion on hold about using DWP property for Alltel? Chairman Hazard said no. The goal is to ask the Board for direction to move forward, not to negatively impact service being provided.

Board Comments:

- Chairman Hazard asked the Board to endorse moving the process forward and giving staff direction. The Board agreed. Supervisor Reid said he doesn't want to compete with private industry. Hazard agreed; the intent is not to stifle internet services, but to explore the options.
- Supervisor Reid asked how to move forward on this issue. David Wilbrecht said the Board recently approved \$30,000 for communications. The Sheriff won't need this funding so the money can be refocused and used to study the boarder issue.
- Chairman Hazard said the Planning Department and IT should help guide the process.
- Supervisor Bauer, this issue concerns the growth of the community via people working at home using high-speed internet. This creates a new economy and brings residents into the community.

Regarding the question about helping Aaron (Schat.net) acquire sites, Allen Berrey has been working on this issue. Marshall Rudolph, County Counsel, sought clarification from the Board as to whether it wanted to defer County action on the Schat or Alltel matters until the study requested by Chairman Hazard is done. The Board said "no." Rudolph said that, accordingly, staff will continue and finish work on the Schat.net issue and Alltel issue.

Prior to adjourning, a resident asked Chairman Hazard for an update on the mail situation. Chairman Hazard said they have identified the potential developable properties from Long Valley to Tom's Place. Each lot has a number assigned to it which will become the primary mailbox number. There are enough boxes for Crowley Lake and McGee Creek (Phase 1); the boxes should be installed before the end of the year. Sunny Slopes is Phase 2, and will be part of the 2009 parking rehabilitation project. Phase 3 includes Long Valley and Aspen Springs; this project is identified but will be implemented last. It is important to get a box because it is an amenity for the home.

ADJOURNED: 8:20 p.m.

Mono County Board of Supervisors next regular session will be on **November 6, 2007**, at the hour of 9:00 a.m. in the Board Chambers, County Courthouse, Bridgeport, California.

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